

### REMARKS

Support for the amendments to Claims 1 and 31 can be found in Paragraph [0022] of the specification.

The Ebert et al. material has low permeability to moisture (Col. 1, Line 24) but has canals 2 formed therethrough, as opposed to the claimed adjacent beads having first portions that abut one another and second portions that are spaced from each other to create spaces therebetween that permit the flow of liquid through the acoustic layer.

U.S. Pat. App. No. 2005/0042394 to Sawyer et al. is not prior art to the claimed invention because it was filed on the same date (August 20, 2003) as this application. Therefore, the Sawyer et al. reference cannot be properly used in a rejection.

U.S. Pat. No. 6,453,477 to Bainbridge et al. was filed prior to this application, but is non-analogous art to the claimed invention (protective sports gear padding vs. flooring composites). Therefore, the Bainbridge et al. reference cannot be properly used in a rejection.

Respectfully submitted,

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